

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**TERRI PECHNER-JAMES and SONIA** )  
**FERNANDEZ,** )  
**Plaintiffs,** )

v. )

**C.A. No. 03-12499-MLW**

)  
**CITY OF REVERE, THOMAS AMBROSINO,** )  
**MAYOR, CITY OF REVERE POLICE** )  
**DEPARTMENT, TERRENCE REARDON,** )  
**CHIEF OF POLICE, BERNARD FOSTER,** )  
**SALVATORE SANTORO, ROY COLANNINO,** )  
**FREDERICK ROLAND, THOMAS DOHERTY,** )  
**JOHN NELSON, JAMES RUSSO, MICHAEL** )  
**MURPHY and STEVEN FORD,** )  
**Defendants,** )

**AFFIDAVIT OF MICHAEL MURPHY**

I, Michael Murphy, do hereby depose and state:

1. I have been a member of the City of Revere Police Department since 1986. On August 9, 2001 I was promoted to the rank of Captain. On January 17, 2002 I was designated the Executive Officer for said Department and have continuously served in this capacity until the present. In the performance of my duties, I either maintain in my office, or otherwise have access to, the records of the Revere Police Department which are maintained by subordinates under my supervision in the regular and ordinary course of their duties.
2. On February 15, 1999, Captains Roland and Chaulk delivered a memo to Chief Roy Colannino regarding Counselling Session which they had conducted after their January 7, 1999, meeting with the female officers of the Department. A true and accurate copy of Captains Roland and Chaulk's memo to Chief Colannino taken from the files of the Revre Police Department is attached hereto as Exhibit "A".
3. I have reviewed the adulterated booking photo of John Kirksey which is attached to the Complaint in this matter as Exhibit "H", a copy of which is attached hereto as Exhibit "B" for convenience. I have also conducted a search of the records of the Revere Police Department for all booking photos for Mr. Kirksey. In this regard, I have located six booking photos; one from September 13, 1996; one from May 14, 1997; two from September 1, 1997; one from December 8, 1998; and, one from August 22, 2002. True and accurate copies of these booking photos are attached hereto as Exhibit "C". A review of these booking photos

reveals that the second booking photo from September 1, 1997 is the source for the adulterated photo attached to the Complaint as Exhibit "H". This booking photo would correspond with an arrest of Mr. Kirksey on the date the photo was taken, namely, September 1, 1997.

Signed under the pains and penalties of perjury this 08 day of June, 2005.

Respectfully submitted,

  
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Michael Murphy